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Date of Deposit: December 1, 2004

Attorney Docket No. 21629-003CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Walt et al.
SERIAL NUMBER: 10/823,367
FILING DATE: April 12, 2004
FOR: POLYMERIC MICROSFERES

EXAMINER: Not Yet Assigned
ART UNIT: 1615

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
UNDER 37 C.F.R. § 1.121**

In response to the Notice of Non-Compliant Amendment, mailed November 24, 2004, Applicants submit a Revised Preliminary Amendment replacing the Original Preliminary Amendment filed with the instant application on April 12, 2004. The Revised Preliminary Amendment lists all the pending claims (claims 1-60) in compliance with 37 C.F.R. § 1.121.

Applicants believe that no fees are due in this filing, however, the Commissioner is authorized to charge any additional fees due, or credit any overpayment of same, to the undersigned's account, Deposit Account No. 50-0311, Reference No. 21629-003 CON.

Should any questions or issues arise concerning this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "IA Beattie".

Ingrid A. Beattie, Reg. No. 42,306
Attorney for Applicant
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Customer Number 30623

Dated: December 1, 2004

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DEC 01 2004
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PRELIMINARY AMENDMENT

Preliminary to examination, please amend the application as follows:

Amendments to the Specification are reflected in the listing of claims that begins on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks are shown starting on page 10 of this paper.